

Article - Insurance

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§15–1409.

(a) In this section, “product” means a discrete package of health benefits that are offered using a particular product network type within a geographic service area.

(b) A carrier that elects not to renew all of a particular product in the State shall:

(1) provide notice of the nonrenewal at least 90 days before the date of the nonrenewal to each affected:

- (i) policyholder;
- (ii) plan sponsor;
- (iii) participant; and
- (iv) beneficiary;

(2) offer to each affected plan sponsor the option to purchase any other health insurance coverage currently being offered by the carrier; and

(3) act uniformly without regard to the claims experience of any affected plan sponsor, or any health status–related factor of any affected individual.

(c) A carrier may elect not to renew all group health benefit plans in the State.

(d) When a carrier elects not to renew all group health benefit plans in the State, the carrier:

(1) shall give notice of its decision to the affected individuals at least 180 days before the effective date of nonrenewal;

(2) at least 30 working days before that notice, shall give notice to the Commissioner; and

(3) may not write new business for groups in the State for a 5–year period beginning on the date of notice to the Commissioner.

(e) A health maintenance organization need not offer coverage to an individual who does not live, reside, or work within the health maintenance organization's approved service areas.

(f) A carrier may make a uniform modification of coverage for a product only at the time of renewal of a health benefit plan.

(g) A carrier will not be considered to have elected not to renew all group health benefit plans in the State if the carrier complies with 45 C.F.R. § 147.106(d)(3).

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